



ENVIRONMENTAL BULLETIN

November 2011

A news bulletin to provide project managers and district environmental staff with current permit requirements, training opportunities and other environmental guidance.

NDEQ issues new NPDES Concrete Grinding and Grooving Permit

On October 1, 2011, the Nebraska Department of Environmental Quality (NDEQ) issued the Concrete Grinding and Grooving Permit. This statewide general permit regulates the land application of concrete grooving/grinding slurry and is designed to control the pollutant levels being land applied as a result of the spreading of slurry from concrete grooving or grinding. The primary pollutant of concern in concrete slurry is pH (a measurement of a substance's acidic levels).

For NDOR this permit will typically apply to any project where diamond grinding will take place. It does not regulate saw cutting activities. If all of the slurry is contained and removed from the project, compliance will be relatively simple. If we plan to land apply the slurry to our shoulders than there are a few conditions that will need to be met to ensure the rate of application will not negatively impact the soil and vegetation.

The following are a few of the permit conditions that apply to grinding projects:

- A site inspection will be required prior to the start of grinding to identify sensitive areas along the project.
- The operator shall identify wetlands, water bodies, streams and other sensitive areas where slurry discharge operations are not permitted.
- The spreading of slurry shall not take place within 100 feet from the sensitive area or through these sensitive areas.
- The spreading start and stop points shall be clearly marked on the shoulder of the road.
- The slurry shall not flow across the roadway into adjacent lanes.
- In urban areas with closed drainage systems and sensitive areas, the slurry shall be collected in water-tight haul units and transported to settlement ponds constructed by the contractor.
- The locations of the closed drainage systems and sensitive areas, application areas, and settlement ponds shall be identified within project plans if a construction storm water permit has not been issued.

We are currently reviewing the permit requirements and will provide additional guidance in the near future.

If you have an upcoming concrete grinding project and are planning to discharge slurry onto the adjacent shoulder, please contact our office prior to beginning work to discuss an appropriate plan for compliance.

Permit Link on NDEQ's Website:

[NPDES Permit Authorizing Land Application of Concrete Grooving/Grinding Slurry](#)

Contact Information: Nick Soper – (402) 479-3642 or Ron Poe – (402) 479-4499

NDOR Operations Division Issues New Distributor Cleanout Policy

NDOR recently came under scrutiny by the Nebraska Department of Environmental Quality for the long standing practice of cleaning out oil distributors with diesel fuel and/or solvents and flushing it directly onto the ground, usually in a mixing site. This practice is no longer acceptable. After further discussions with NDEQ, NDOR will be allowed to clean oil distributors in the field and at the yard using the following guidance.

- Incorporation of the oil and cleaners will be allowed into a gravel windrow or millings pile that resides on a hard surfaced pad and will be used for road maintenance patching in the near future.
- If millings or windrow are used at your yard for surfacing purposes, this will also be an allowable practice.

Long term storage of millings/windrow/gravel piles that contain residuals from the distributor is not an allowable procedure.

If operator error results in a discharge and the spill is not a reportable quantity, (less than 25 gallons) we are required to remove the impacted soils beyond the line of visible staining and place in a permitted landfill as petroleum contaminated soils. If the spill exceeds 25 gallons, NDOR has a duty to self-report and is required to clean it up.

A disposal facility for construction and demolition waste only, is not allowed to accept the petroleum contaminated soils nor can NDOR utilize contaminated soils as fill material.

It is extremely important that NDOR adhere to this practice to remain in compliance with state and federal regulations.

Contact Information: Tom Sands - NDOR Operations Division Manager, (402) 479-4339.
Mike Mattison – NDOR Maintenance Engineer, (402) 479-4878

NDOR Spill Contact: Belinda Fowler – Highway Environmental Programs Specialist, (402) 479-4656.

NDOR Environmental Section (Headquarters) Contacts

The Environmental Section at NDOR Headquarters has recently undergone some staff changes. Below is the current contact list for environmental permit questions on state projects:

Jason Jurgens – Environmental Section Manager, 402-479-4418

Tony Ringenberg - Environmental Permits Unit Manager (404 Permits/Wetlands) 402-479-4410

Dillon Dittmer, Biologist (404 Permits/Wetlands) 402-479-3568

Nick Burnham, Biologist (404 Permits/Wetlands) 402-479-3818

Melissa Marinovich, Biologist (Threatened/Endangered Species) 402-479-3546

Ron Poe - Roadside Stabilization Unit Manager (Erosion Control/Stormwater) 402-479-4499

Nick Soper, Environmental Specialist (Erosion Control Design) 402-479-3642

Gabe Robertson – Environmental Specialist (Stormwater Permitting) 402-479-4685

Art Thompson – Landscape Architect (Landscaping) 402-479-4839

Carol Wienhold – Biologist (Roadside Seeding) 402-479-3917